

# COMMISSIONERS' MINUTES – DAVIS COUNTY

## COMMISSION MEETING MINUTES December 6, 2022

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. on December 6, 2022, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

Present on the dais were: Commissioner Randy B. Elliott, Chair; Commissioner Bob J Stevenson; Curtis Koch, Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

Attending via phone: Commissioner Lorene Miner Kamalu, Vice-Chair, who was fulfilling Board responsibilities at the National Waste Conference.

All documents from this meeting are on file in the Davis County Clerk/Auditor’s Office. The agenda for this meeting is incorporated into the minutes as item headers.

OPENING

The meeting convened at 10:00 a.m., and Information Systems Director Mark Langston led the Pledge of Allegiance.

Recognitions,  
Presentations &  
Informational  
Items

**Employee Commendation for Justice Ynchausti — Presented by Commissioner Stevenson**

Commissioner Stevenson noted that Justice [John] Ynchausti, who was not able to attend Commission Meeting because he was in court, was honored with the 2022 Justice Court Service Award for his outstanding efforts on behalf of the Justice Courts of Utah and furthering the professional legal competence of Utah Justice Courts judges. The award was presented in April but had not been recognized in a Commission Meeting.

**Employee Commendation for Davis County Attorney Troy Rawlings — Presented by Commissioner Stevenson**

Commissioner Stevenson presented Troy Rawlings, Davis County Attorney, with a plaque honoring him as the Outstanding County Attorney of the Year for the Utah Association of Counties. Troy Rawlings said the award is a reflection of the people he hires, who do good work every day. The Davis County Attorney’s Office is generally seen by defense attorneys and other prosecutors as being perhaps the premier Prosecutor’s Office in Utah. Rawlings said it has nothing to do with him, except that he hires the best people.

**Employee Service Awards for December 2022 — Presented by Commissioner Bob J Stevenson**

**Attorney’s Office**

- **Gage Arnold, 5 Years and Attorney’s Office Commendation.** County Attorney Troy Rawlings said he used to make a regular practice of commending the outstanding performance of individuals in the Attorney’s Office during Commission Meetings, and wants to get back into the swing of that, so Gage Arnold’s employment anniversary is fortuitous. Gage passed the bar and was licensed in 2010, so he’s been an attorney for 12 years. He was a prosecutor for Weber County before Davis County hired him. Gage’s performance in the Davis County Attorney’s Office has been so exemplary that he was promoted to County Attorney VII, called Senior Trial Counsel, last year. It is the highest level attainable in the Office as a prosecutor, and he earned it. Gage recently stepped up to handle a hotly disputed piece of litigation, which was critical and maybe the most important decision in 2022 in the Davis County Attorney's Office. The litigation stemmed from a homicide in Bountiful, in 2006. The individual accused of the crime was initially declared incompetent and later not guilty by reason of insanity. After several years in the State Hospital, staff at the hospital felt this person had progressed enough to be allowed out in the community with a safety plan. Gage took over the case at the last minute, and put in long hours to prepare. He introduced 37 exhibits at the hearing to persuade the judge, under the legal standard, that this person was such a risk that they shouldn't be released. In his opinion ruling in Davis County’s favor, the judge used a line based on Gage's work: “The State of Utah responded to the supplemental memorandum arguing that there are no iterations of the defendant's conditional release proposal that will ensure the defendant will not become violent again and that the court should not trade its current reality of supervision at the Utah State Hospital

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for the future illusion of supervision.” The County Attorney said he knows this decision is disputed, but feels that the community is protected significantly as a result of what Gage Arnold did. Gage is the example of hard work and of being a decent, reasonable, and honorable person. Troy said he regularly hears from defense attorneys that Gage is honest, decent, respectful, and polite, and that is exactly what is wanted in Davis County Government in general and in the Attorney’s Office.

## Buildings and Grounds

- **Jason Herre, 5 Years.** Jason Herre was not in attendance at the meeting but was recognized for celebrating five years of service.

## Valley View Golf

- **Pete Stone, 10 Years.** Golf Director Dustin Volk said he has known Pete for almost 30 years and watched him grow up playing golf and working for his father. He said Pete is very honest – he learned that from his father and his grandfather. He is not quick to anger and is level-headed when dealing with customers. The golf business can be tough, and Pete's really good at managing the customers’ expectations, having good customer service, and protecting the business. Dustin said Pete had a health scare this year that took him out for about a month. Dustin is grateful his dear friend, Pete, is here.

## Health Administration

- **KC Shafer, 10 Years.** Jay Clark, Division Director for Environmental Health Services, said KC started his career with Facilities. He’s proud of the big rock wall and the rock stone bench he built at Animal Care. He took care of Animal Care, the Golf Course, and Autumn Glow Senior Center all at once. He transferred to the Health Department where everyone grew to love and appreciate him, and where his crowning achievement was figuring out that the roof had a warranty. It was leaking like a sieve, and because of KC it was repaired and there haven't been many problems since. In 2017, KC was hired as the Health Department’s I/M (Inspection/Maintenance) Lead Specialist, and he's been a tremendous asset to that division. He takes great pride in what he does and puts in a lot of effort, because he wants the program to succeed. He has great rapport with the stations, and seldom do problems from the stations rise to the Division Director’s level because KC is able to take care of their concerns. Deputy Health Director Dave Spence refers to KC as “Johnny-on-the-Spot” because whatever is needed, whether it's delivering medical supplies or figuring out logistics, KC's that go-to guy.
- **Tina L’Estrange, 10 Years.** Tina is Davis Health Department’s Infectious Disease Lead Nurse. Sarah Willardson, Director for Communicable Disease & Epidemiology Division, said that Tina has served as a supervisor training and helping new nurses. The Health Department had quite a bit of turnover during the pandemic, so Tina has been incredibly busy training the next generation. The Department relies on her wealth of knowledge, and she has handled some of the most difficult infectious disease and complex STI cases. She definitely has a direct benefit to the health of the community, and she is appreciated.
- **Marie Jorgensen, 15 Years.** Rochelle Blackham, Senior Services Director, said that Marie is a very dedicated employee, and she is truly passionate about her work. She has spent 14 years working in the In-Service Bureau, where she works with very frail, sometimes homebound, seniors and provides services and the assistance they need to live independently within their own homes. She has spent years making Utah a better place to age, and she's trained many other case managers throughout the State and worked in collaborations with the HEAT Programs to help seniors with assistance for their utility bills. Rochelle said she literally thinks Marie started Medicare Part B 101 – she is an expert in this field. Maria is truly one of the best.

## Clerk / Auditor

- **Julie Hadley, 15 Years.** Clerk/Auditor Curtis Koch said Julie is part of the Clerk/Auditor’s Elections Division, and during her 15 years an incredible amount of changes have taken place in elections. She plays a key role in elections, working with our poll worker training, prepping supplies for polling locations, and testing of election equipment. She is kind of the logistics side of elections, taking care of the technical parts. The value that Julie brings is that she keeps elections real. When things are tough, she can help move things forward. She brings ideas and she challenges things, and that's really critical. Appreciation was expressed for her dedicated service, not only to the Clerk/Auditor’s Department but to all the citizens of Davis County in running safe, secure, and transparent elections.

## Information Systems

- **Mike Pace, 25 Years.** Information Systems Director Mark Langston said Mike Pace is “the man behind the curtain” who helps keep the County’s network running all the time. He has a lot of responsibilities on the technical side, including finding new products for security. Mike has a lot of integrity. In the computer world, when something goes wrong, I.S. needs to find out what it is quickly in order to solve it. Many times it's I.S. that has caused the issues, and often people are afraid to admit that they made a mistake – Mike is not. The first thing he’ll say is, “I think I messed up on this – let's go check it,” and he immediately eliminates all of the digging and finding so the situation can be fixed. The I.S. Director said Mike’s integrity is beyond reproach, and he has absolutely loved working with him. He is a key, integral part of the phenomenal I.S.

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staff.

**Sheriff’s Office**

- **Dylan Mills, 5 Years.** Dylan was not in attendance, but was recognized for his service.
- **Elizabeth Siufanua, 5 Years.** Elizabeth was not in attendance, but was recognized for her service.
- **Jeffry Nelson, 5 Years.** Jeffry was not in attendance, but was recognized for his service.
- **Gabrielle Newman, 5 Years.** Gabrielle was not in attendance, but was recognized for 5 years of service.
- **Blake Lopez, 20 Years.** Lt. Brian Gurr said Blake Lopez is one of his Deputies in the Courts. Blake is very quiet and humble, and goes about his time serving the community. Gurr said he and Blake went to the Academy together and were both on the CERT Team. Blake worked 15 years in the jail, and much of that time was in specialty positions. He did Visiting and Investigations, and he spent 10 years on the Corrections Emergency Response Team. He's since moved to the Courts, where he's been for five years. He's one of the Defensive Tactics instructors and is always willing to step up and take whatever assignment is needed. While doing all of that, he's also served 16 years in the military – first in the Marines and then in the Army, with deployments to Poland and to Iraq. He is a great person to have employed at the Sheriff's Office.
- **Kirk Silver, 15 Years.** Lt. Jeff Jensen said Kirk Silver has done an outstanding job. He’s also served 26 years in the U.S Army and the Utah National Guard, and he’s had one deployment to Iraq. He's worked in many divisions in the jail – Visiting, UA (Urinalysis) Deputy, the Work Center, and now doing the new 24/7 Ankle Monitor program. Kirk is working just as hard today as when he started, and he’s still as dependable and amazing. He always wants to help people and even delivered flowers and a card, which he had signed by everyone in the Office, to a deputy who recently had a baby, just to let her know everyone is thinking about her.
- **Jeff Jensen, 35 Years.** Chief Deputy Arnold Butcher said Lt. Jensen is one of the most reliable staples in the Sheriff's Office. He's been everywhere and done everything in the Sheriff’s Office. He was Chief Deputy Butcher’s Sergeant at one time, as well as his Lieutenant, SWAT Team Leader, and SWAT Team Commander, and he worked with the Metro Narcotics Strike Force. Chief Deputy Butcher said he loves that he can call Lt. Jensen his friend, because he has been that through thick and thin. He's been a friend to a lot of people. The Sheriff's Office is very important to Lt. Jensen, and his son works there so it's a family thing, but family is the most important thing to him – especially his grandchildren and his parents. Lt. Jensen’s dad is 94, and it's amazing to see the relationship that they have. The Chief Deputy explained that the Sheriff’s Office has a physical fitness standard that deputies have to meet each year. There are different levels from Standard to Master and Elite. Lt. Jensen has attained Elite every year since the program was implemented, and outruns and outperforms 21-year-olds. He doesn't do that out of arrogance; he does it to set a good example. He’s been a great example to this County for 35 years, Chief Deputy Butcher said, adding that he is proud to be affiliated with Lt. Jensen.

Commissioner Stevenson noted that supervisors get a little emotional when speaking about the employees, which shows that they really do care. It’s wonderful to see the family that has been built with these individuals as everyone works together to make this the best county.

PUBLIC  
COMMENTS

**Rhonda Perkes, from Congressman Chris Stewart's Office,** said it was hoped that the Congressman could be in Utah the week of Christmas, but Congress would have many votes and there was a lot to do before then. She noted that the Congressman has been pretty vocal regarding his feelings on funding Ukraine and offered an update. Congressman Stewart, early on during this conflict, was eager to help the Ukrainian people and thwart some of the bad acting in Russia. However, it has become apparent to him that the mission there has not been defined. Although some good has come from the billions and billions of dollars that the U.S. has sent, he would like to know exactly what is going to constitute a success there, and so far he's not been able to get any answers from anyone in the Administration. He feels that, for the U.S. to continue sending billions of dollars, there does need to be some definition as to what the goal is. We don't want to find ourselves in another situation like Afghanistan, where we could be working and sending money for an unlimited and undefined amount of time. He’s also very concerned about finding ourselves in a situation with Russia where we're in too far and in conflict with them with our military, so he's looking for some answers. Ms. Perkes said the Congressman will, in the Intel Committee, be asking a lot of questions. Congress is also focusing on the budget. Congressman Stewart does not like continuing resolutions or omnibus bills, and it looks like both of those are on the table, so it is frustrating to him. Ms. Perkes wished everyone a Merry Christmas.

BUSINESS/  
ACTION

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*Animal Care*

#2022-691      **1. Approval of the October 2022 Adoption Contracts — Presented by Animal Care Director Ashleigh Young**

There were 171 adoptions in October: 2 birds, 109 cats, 57 dogs, and 3 rabbits. The agreement period is 10/01/2022 to 10/31/2022. The receivable amount is various amounts.

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

*Clerk/Auditor*

#10-2022      **2. Ordinance approving the fee schedule for the Davis County Clerk's Office — Presented by Clerk/Auditor Curtis Koch**

The major change for the Budget Year 2023 is that there is a \$5 increase to marriage licenses that are issued with two certified copies. The change from \$50 to \$55 will help cover the costs of staffing that service full-time. The beginning date is 12/06/2022. [Actual beginning date 15 days after approval.]

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

*CED*

#2022-692      **3. Standard Service Provider Contract with the Wasatch Front Regional Council (WFRC) to assist the County in establishing and conducting its process for funding applications to utilize transportation sales tax revenue — Presented by Community and Economic Development Director Kent Andersen**

The contract is specific to the Third Quarter, so this agreement will cover the terms of 2022, 2023 and 2024. The agreement period is 12/06/2022 to 12/31/2024. The payable amount is \$30,000.

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

*Facilities*

#2022-693      **4. General Service Contract with Rocky Mountain Power for electrical services for the Davis Park Golf Course Driving Range renovation — Presented by Facilities Director Lane Rose**

The contract is for electrical services that will feed the Davis Park Golf Course Driving Range Renovation Project. The agreement begins 12/06/2022. The payable amount is \$10,928.93.

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

*Health*

#2021-33-I      **5. Amendment to the AAA Pass-through Contract with the Utah Department of Health & Human Services increasing funding — Presented by Health Director Brian Hatch**

The amendment to the contract with the Utah Department of Health and Human Service increases funding in Davis County's senior program. The agreement period is 11/01/2022 to 06/30/2023. The receivable amount is \$5,308.

#2022-694      **6. Contract for Goods or Services with Utah State University to provide assistance, education, and outreach for COVID-19 Vaccines and boosters, flu, and shingles vaccines, including outreach at Davis County Senior Centers — Presented by Health Director Brian Hatch**

The agreement period is 08/05/2022 to 03/31/2023. The receivable amount is \$8,125.

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Com. Stevenson moved to approve items 5-6. Com. Kamalu seconded. All present voted aye.

Human  
Resources

#2022-695

**7. Agreement with Jeanne Campbell for legal services for indigent persons appearing in Davis County — Presented by Legal Defender Coordinator Todd Utzinger**

The contracts for Jeannie Campbell and David Ferguson (agenda items 7 and 8) are both structured in the same way. They are fully funded through a grant by the Indigent Defense Council (IDC), they are hourly rate billings rather than flat rate, and they pay down from grant money from the IDC at a rate of \$125 an hour. The County did not request this from the IDC; they offered it to the County. These attorneys will, hopefully, be used to handle unusually complex cases, such as murder cases and mandatory minimum cases, to relieve some of the pressure on the County’s regular Defender Team.

Jeannie Campbell is a 1996 graduate of BYU Law School and has a well-respected track record, first as a prosecutor and then as a defense attorney. She’ll be a great addition to our team. The agreement period is 12/01/2022 to 12/31/2024. The payable amount is \$125 per hour.

#2022-695

**8. Agreement with David Ferguson for legal services for indigent persons appearing in Davis County — Presented by Legal Defender Coordinator Todd Utzinger**

Dave Ferguson is a 2015 graduate of the University of Utah College of Law. He has a lot of experience. He used to be with Salt Lake Legal Defenders Association and also happens to be the executive director of the Utah Association of Criminal Defense Lawyers. The agreement period is 12/01/2022 to 12/31/2024. The amount is \$125 per hour.

Commissioner Kamalu commented that the Indigent Defense Commission is fantastic. They are working across the State to help Indigent Defense/Public Defense be better, no matter where you live throughout the State of Utah. Davis County, with Todd's leadership as the Managing Defender, is known for having a great program. She expressed gratitude to the Indigent Defense Commission for making sure Davis County was included in this funding. The County deserves to have some of the grant money, even though it has already been prioritizing and funding Public Defense for individuals who cannot afford their own defense because of the Sixth Amendment of the Constitution of the United States of America. Commissioner Kamalu said she was interested to see that these contracts were different, with an hourly rate, and that she’s sure they [the attorneys] will do great work for the people of Davis County.

Com. Kamalu moved to approve items 7-8. Com. Stevenson seconded. All present voted aye.

#2022-697

**9. Standard Service Provider Agreement with Nearmap US, Inc. for Nearmap imagery for use with ArcGIS software — Presented by Information Systems Director Mark Langston**

The Information Systems Director thanked the Commissioners for taking the time to recognize employees on their anniversaries.

The Standard Service Agreement with Nearmap is to provide imagery for the County’s GIS system, that is used by multiple departments in the County. The agreement begins 12/22/2022. The payable amount is \$57,000.

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

#2022-698  
through  
2022-701

**10. Release of Liability, Waiver of Rights, and Participation Agreement for the Secure Continuous Remote Alcohol Monitoring (SCRAM) program — Presented by Sheriff's Office Chief Deputy Susan Poulsen**

2022-698 • Participant 1

2022-700 • Participant 3

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2022-699 • Participant 2

2022-701 • Participant 4

Commissioners expressed their wish that Chief Deputy Poulsen would stay with the County for a little while longer, rather than retiring. The Chief Deputy thanked them for the sentiment. She then presented the Release of Liability, Waiver of Rights, and Participation Agreement for the Secure Continuous Remote Alcohol Monitoring, or SCRAM, program for four participants. The agreement period begins upon final signature and runs until the participant is no longer under court order to participate in the program. The receivable amount is varied amounts based on tests used and monitoring fees.

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

#2022-702

**11. Standard Service Provider Contract with Tim Adams for The Next Level K9 for K9 handler training and certification — Presented by Sheriff's Office Chief Deputy Susan Poulsen**

The agreement period is 11/10/2022 to 12/31/2022. The payable amount is \$10,000.

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

#2022-703

**12. Public Performance Licensing Agreement with Swank Motion Pictures, Inc. to show motion pictures in the Davis County Jail — Presented by Sheriff's Office Chief Deputy Susan Poulsen**

The agreement period is 11/01/2022 to 10/31/2023. The payable amount is \$2,014.

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

#2022-166-A

**13. Amendment to the ELC Detection and Mitigation of COVID-19 in Confinement Facilities Contract with the Utah Department of Health and Human Services to correct the vendor number — Presented by Sheriff's Office Chief Deputy Susan Poulsen**

The agreement period is 04/01/2022 to 07/31/2024.

Com. Stevenson moved to approve items 10-13. Com. Kamalu seconded. All present voted aye.

Commissioner Stevenson moved to recess to the Board of Equalization. Commissioner Kamalu seconded the motion. All voted Aye.

**BOARD OF  
EQUALIZATION**

Property Tax  
Register

Property Tax Register matters were presented by Curtis Koch, Davis County Clerk/Auditor, as follows:

**Auditor's Adjustments**

**Appeals**

- A report with various recommended Approved Appeals totaling \$28,191,764
- A report with recommended No Change in Values for various properties
- A Hearing Findings Report with various changes totaling \$13,345,827
- A Withdrawn Report with various reports

**Abatements**

- An Abatement Denial Report with various denials recommended

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- A Late Abatement Report with various abatements recommended for \$13,668.28

**Corrections**

- Seven Veteran Tax Exemptions Abatements for the Year 2021
- Two Exempt Entity Purchased Properties for the Year 2022

**Treasurer’s Adjustments**

- Various Small Balance Write-Offs for a total of (\$12.47)

**Assessor’s Adjustments**

**Assessor-Initiated Corrections**

- A report with various corrections totaling \$1,369,528

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

Commissioner Stevenson moved to reconvene the Commission Meeting. Commissioner Kamalu seconded the motion. All voted Aye.

**COMMISSION  
COMMENTS**

**Commissioner Kamalu** commented that the cost of housing has risen dramatically across the Wasatch Front in the last two-three years. It's a supply and demand problem, and it's a huge problem. She gave a reminder that she was calling in from the National Waste Conference, and noted that the first day of the conference featured a tour of a facility similar to the one located in Layton, that takes care of waste for almost all of Davis County’s cities plus some additional jurisdictions. The facility in Layton is known throughout the nation as one of the standout landfills; executive Director Nathan Rich has held leadership positions for years, nationally, in the industry. He does a great job. It’s a conscientious Board. Referring back to her initial statement about housing, Commissioner Kamalu said that, as we consider housing and the cost of housing in Utah and how difficult it is for our own children and grandchildren to be able to afford getting into their first home, she noticed how San Diego is handling housing and waste. The facility she toured in San Diego, which serves various jurisdictions of San Diego County, is located right in San Diego, and San Diego City has another landfill in the area. How waste and housing is handled is something that everyone should be interested in. The thing that was so interesting about the landfill she toured is that it's even bigger than what Davis County has, by a long shot, and it goes higher it goes deeper. It's beautiful – there's no smell and it fits into the topography because of the rolling hills in the area. There are billion-dollar homes right next to this landfill, because they just have to build homes wherever they can, and they're very conscientious about that. Commissioner Kamalu said she thinks two things are very interesting [to consider]: 1) How well does Davis County deal with waste and recycling, and not filling up landfills prematurely but really capturing all of the value of waste? 2) Knowing that as the pressure for more housing continues to grow, if the County doesn't put housing that fits in all the different places it can, it will be regretted because there is a great need for it. All of that is big and important, and it's very interesting to see it with your own eyes. Davis has great people and great partners working with the County in all of this, and hopefully County officials will continue to make good choices to house people.

**MEETING  
ADJOURNED**

The Commission meeting was adjourned at 10:51 a.m.

Minutes prepared by:  
Becky R. Wright  
Deputy Clerk/Auditor

Minutes approved on: 1/10/23

/s/ Brian McKenzie  
Brian McKenzie  
Clerk

/s/ Lorene Miner Kamalu  
Lorene Miner Kamalu  
Commission Chair